

JOEL A. ACKERMAN

JA 4027

XCA-133619-1/db

ZUCKER, GOLDBERG & ACKERMAN, LLC

Attorneys for Secured Creditor

Deutsche Bank National Trust Company, as Trustee for BCAPB LLC Trust 2007-AB1

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: UNITED STATES BANKRUPTCY COURT  
: FOR THE DISTRICT OF NEW JERSEY  
IN RE: :  
: CHAPTER 13  
Doxinette Richards :  
Debtor : CASE NO. 09-44835-MS  
:  
: OBJECTION TO THE MODIFIED PLAN  
: (CONFIRMATION HEARING DATE: )

The undersigned, ZUCKER, GOLDBERG & ACKERMAN, LLC, attorneys for Secured Creditor  
Deutsche Bank National Trust Company, as Trustee for BCAPB LLC Trust 2007-AB1, the holder of a  
Mortgage on the debtor premises at 49 Union Place, Irvington, NJ 07111, in addition to the objections

set forth in its original Notice of Objection hereby further objects to the provision in the Chapter 13 plan that fixes the monthly mortgage payment outside the plan. The normal servicing of the debtor's loan will call for the post-petition mortgage payment to be adjusted. The debtor's plan makes no provision for this adjustment in violation of 11 U.S.C. 1322 (b) (2).

The Debtor's plan fails to address the Secured Creditor's claim. The loan modification is remote and speculative. The Debtor cannot modify the loan without the consent of the Secured Creditor. Therefore, the plan cannot be confirmed unless and until a loan modification is agreed to and approved by the Court.

ZUCKER, GOLDBERG & ACKERMAN, LLC

ATTORNEYS FOR SECURED CREDITOR

/s/ **JOEL A. ACKERMAN**

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JOEL A. ACKERMAN

MEMBER OF THE FIRM

DATED: August 31, 2011

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**THIS IS AN ATTEMPT TO COLLECT A DEBT.**

**ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

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